

09/05/03  
16569 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 0291MH-42317

In re Application of:

**FRANK BERRENBAUM, ET AL.**

Serial No. **TO BE ASSIGNED**

Filed: **5 SEPTEMBER 2003**

03940 U.S. PTO  
10/656448  
09/05/03

For: **METHOD AND APPARATUS FOR SEALING AND CUTTING OF FOIL TUBES**

**TRANSMITTAL**

MAIL STOP: PATENT APPLICATION  
Commissioner for Patents  
Arlington, Virginia 22313-1450

Sir:

Enclosed find:

- Patent Application and drawings;
- Declaration;
- Certificate of Express Mailing;
- Assertion of Entitlement to Small Entity Status;
- Our firm check in the amount of \$375.00; and
- Our return postcard, which we would appreciate your date-stamping and returning to us upon receipt.

**CERTIFICATE OF EXPRESS MAIL 37 C.F.R. § 1.10**

Express Mail No. **EV233981536US**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Arlington, Virginia 22313-1450 on the date below.

Date

5 Sep 03

Signature

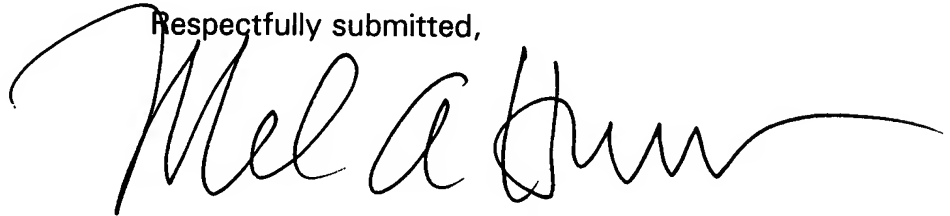
*Mel G. Hume*

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **50-1060**.

Please conduct all correspondence in the above matter with:

Melvin A. Hunn  
HILL & HUNN, LLP.  
201 Main Street, Suite 1440  
Fort Worth, Texas 76102-3105  
(817) 332-2113(voice)  
(817) 332-2114 (fax)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mel A Hunn", with a long horizontal flourish extending to the right.

---

Melvin A. Hunn, Reg. No. 32,574  
HILL & HUNN LLP  
201 Main Street, Suite 1440  
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Attorney for Applicant

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

**FRANK BERRENBAUM, ET AL.**

Serial No. **TO BE ASSIGNED**

Filed: **5 SEPTEMBER 2003**

For: **METHOD AND APPARATUS FOR SEALING AND CUTTING OF FOIL TUBES**

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS  
UNDER 37 C.F.R. § 1.27(c)**

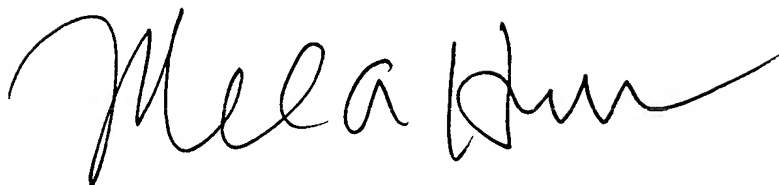
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 1.27(c)(2)(i), the undersigned hereby asserts that **DR JOSEPH, INC.** owner by assignment of the entire right, title, and interest in the subject application, is a small entity as defined in 37 C.F.R. § 1.9(d) and is entitled to small entity status for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the subject invention.

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Arlington, VA 22313-1450, on this date:	
Name: <u>589003</u>	Date: <u>Meleard</u>

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Melvin A. Hunn". The signature is fluid and cursive, with the first name "Melvin" being more prominent than the last name "Hunn".

---

Melvin A. Hunn, Reg. No. 32,574

Kenneth C. Hill, Reg. No. 29,650

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ATTORNEY FOR APPLICANT